

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte STEPHEN C. PORTER

Application No. 09/933,316



ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received electronically at the Board of Patent Appeals and Interferences on June 18, 2007. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matter requiring attention prior to docketing is identified below:

On November 22, 2006, appellant filed an Appeal Brief. A review of the file reveals that claims 1, 11 and 41 in the appendix of the Appeal Brief are not consistent as amended in the Amendment filed on August 25, 2005.

Appropriate correction is required.

Accordingly, it is

ORDERED that the application is returned to the Examiner for correction of the Appendix of claims, and for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: *Patrick J. Nolan*
PATRICK J. NOLAN
Deputy Chief Appeals Administrator
(571) 272-9797

DMS/dal

cc: ROBINS & PASTERNAK
1731 EMBARCADERO ROAD
SUITE 230
PALO ALTO, CA 94303